

**IN THE DRAWINGS**

Please replace the formal drawings as filed on August 2, 2004 with the attached drawings.

## REMARKS

Responsive to the outstanding office Action, mailed March 18, 2005 in which all claims are rejected, entry of the following amendments is respectfully requested.

Applicants have amended the Abstract to conform with the objection in the outstanding Office Action.

Applicants note the objection to the drawings in the outstanding Office Action, page 2, item 1. Replacement drawings are submitted herewith that comply with those requirements. Acceptance is respectfully requested.

Applicants have amended the claims herein to fundamentally combine Claims 1 and 6 as originally presented. This specifies that the riser sump, which is defined by a vertical wall terminating at a top, is formed from a riser and a collar. The collar is attached to the underground storage tank and the riser is attached to the collar. The riser in particular is formed from inner and outer walls that together define an annular space, the collar similarly being formed from inner and outer walls to define an annular space. The riser and collar annular spaces are in fluid communication with each other, so that the entire system may be monitored by the expedient fluid provided by reservoir. Claim 22 has been combined with original Claim 25 to stress the same features from a method of manufacture point of view. Finally, Claim 39 has been canceled.

As these amendments do not introduce new matter, but serve only to combine originally presented claims, or address specific language objected to, entry is respectfully requested.

Upon entry, Claims 1-5, 7-24 and 26-38 remain pending in the case.

## **REQUEST FOR RECONSIDERATION**

All claims pending stand rejected as obvious, 35 U.S.C. §103(a), over U.S. Patent 6,729,797, Manger et al., taken in view of U.S. Patent 5,567,083, Osborne. Withdrawal of this rejection is respectfully requested.

As noted above, all claims pending depend from a combination of Claims 1 and 6 or 22 and 25, which specifically recite the provision of a double-walled collar attached to the underground storage tank, and a double-walled riser attached to a collar. These features are not disclosed in the principal reference, Merger et al., which is directed to a free standing sump and does not so much as include a collar attached to the underground storage tank of the system.

While the Osborne reference does describe a type of collar on which the sump sits, the collar is not indicated to be double-walled, nor does it include a riser from a communication with the collar, but rather places a sump with no double-walled or fluid communication with the collar on a manhole. Instead, in Osborne, the contained piping is double-walled, but the outer containment is described as “a conventional containment chamber”, reference to Figure 12, column 2, lines 55-56. Thus, neither the collar nor the riser is double-walled, and the invention to the degree it is addressed at all by the reference, is taught away from thereby. Applicants deeply appreciate the Examiner’s effort to identify specify features in the claims recited in the principal and secondary references relied on. Inspection of the Examiner’s discussion of the same, pages 4-8 reveals that the Examiner does not point to any feature of either reference, alone or in combination, which would suggest the collar/riser sump of the claimed invention. Moreover, with respect to the Examiner’s rejection relying on inherency, page 8 of the outstanding Office Action, Applicants respectfully submit that the references make it clear that one of ordinary skill in the art would not be compelled to attach a

double-walled collar to a double-walled riser in a fashion that the two are in fluid communication with each other. None of the other references adequately describe means of providing containment that embrace this possibility.

Further, Applicants submit that the references fail to teach the provision of a reservoir that can be accessed from the top of the riser. Although the Office Action identifies reference character 32 as discussed at Col. 8, lines 64 – Col. 9, line 4 as providing this feature, in fact reference character 32 is a manifold. This chamber on connecting pipe supports “an apparatus (not shown) [that] can be connected to the manifold test port to simultaneously pressurize or depressurize” the piping double wall-allowing one to assess the integrity of the system. It is clearly not a reservoir for holding leak detection fluid.

As all claims pending recite features not only not suggested by the art, but taught away from thereby, and the claims otherwise conform to the requirement of Title 35, they are in condition for allowance. An early and favorable action thereon is respectfully requested.

Respectfully submitted,

MERCHANT & GOULD



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